

## Maine Revised Statutes

### Title 28-A: LIQUORS

#### Chapter 45: LICENSES FOR THE SALE OF LIQUOR TO BE CONSUMED OFF THE LICENSED PREMISES

##### §1208. DUAL LIQUOR LICENSE

*(REALLOCATED FROM TITLE 28-A, SECTION 1207)*

Notwithstanding any other provision of law, the bureau may issue a dual liquor license to a retail establishment to serve wine to be consumed on the premises in accordance with subsection 2 if that establishment is licensed to sell wine to be consumed off the premises and meets the criteria listed in subsection 1. [2009, c. 510, §7 (RAL).]

**1. Minimum criteria.** In order for the bureau to issue a dual liquor license in accordance with this section the following criteria must be met:

- A. The licensee has submitted an application as prescribed by the bureau and the fee under subsection 3 to the bureau; [2009, c. 510, §7 (RAL).]
- B. The licensee's establishment includes a full kitchen that prepares hot and cold meals to be consumed on the premises; [2009, c. 510, §7 (RAL).]
- C. The licensee's establishment includes at least 2 restrooms available for use by patrons; [2009, c. 510, §7 (RAL).]
- D. The licensee has dedicated an area of the establishment with table seating for a minimum of 16 people to sit and eat a meal prepared by the licensee; [2009, c. 510, §7 (RAL).]
- E. The licensee carries a stock of at least \$35,000 of wine; [2009, c. 510, §7 (RAL).]
- F. The licensee has not committed a violation of this chapter during the past 2 years; and [2009, c. 510, §7 (RAL).]
- G. The licensee has received approval from the appropriate municipal officers prior to submitting an application to the bureau. [2009, c. 510, §7 (RAL).]

[2009, c. 510, §7 (RAL).]

**2. License requirements.** The holder of a dual liquor license is governed by the following when serving wine to be consumed on the premises:

- A. Each serving of wine must be dispensed by the licensee or an employee of the licensee who is at least 21 years of age from a stock of wine that is separated from the wine that is for sale for consumption off the premises; [2009, c. 510, §7 (RAL).]
- B. The licensee shall ensure that at least 2 employees at least 21 years of age are present at all times when wine is being consumed on the premises with at least one whose primary responsibility is sales of wine and other items sold to be consumed off the premises; [2009, c. 510, §7 (RAL).]
- C. Wine may be served only to be consumed on the premises when accompanied by a full meal. For the purposes of this paragraph, "full meal" means a diversified selection of food that cannot ordinarily be consumed without the use of tableware and cannot be conveniently consumed while standing or walking; [2009, c. 510, §7 (RAL).]
- D. Patrons of the establishment may not consume any alcoholic beverage on the premises unless it is served in accordance with this section by the licensee or an employee of the licensee; and [2009, c. 510, §7 (RAL).]

E. A licensee may not serve wine to be consumed on the premises after 8:00 p.m. [ 2009, c. 510, §7 (RAL) . ]

[ 2009, c. 510, §7 (RAL) . ]

**3. License fee.** The license fee for a dual liquor license is \$600 annually in addition to the license to sell malt liquor or wine for consumption off the premises.

[ 2009, c. 510, §7 (RAL) . ]

**4. Rules.** The bureau shall adopt rules to implement this section. Rules adopted in accordance with this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

[ 2009, c. 510, §7 (RAL) . ]

#### SECTION HISTORY

2009, c. 510, §7 (RAL) .

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